

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Elizabeth Hutton Snellings Scheel,)
)
Plaintiff,)
)
v.)
)
Catherine McGahan,)
)
Defendant.)
_____)

Civil Action No. 2:24-cv-3802-BHH

ORDER

This matter is before the Court upon Plaintiff Elizabeth Hutton Snellings Scheel's ("Plaintiff") amended complaint, which was filed in state court on June 11, 2024, and was removed to this Court on July 1, 2024. (ECF Nos. 1, 1-4.) Because Plaintiff is now proceeding without counsel, the matter was referred to a United States Magistrate Judge for preliminary determinations in accordance with 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02(B)(2)(e), D.S.C.

On December 9, 2024, the Magistrate Judge issued a report and recommendation ("Report") outlining Defendant's motion for partial summary judgment and motion for preliminary injunction along with Plaintiff's motion for preliminary injunction and motion for temporary restraining order. (See ECF Nos. 4, 15, 35, 51, 56.) Attached to the Report was a notice advising the parties of the right to file written objections to the Report within fourteen days of being served with a copy. To date, no objections have been filed.

The Magistrate Judge makes only a recommendation to the Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261 (1976). The Court is charged with making a *de novo* determination only of those portions of the Report to

which specific objections are made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1). In the absence of specific objections, the Court reviews the matter only for clear error. *See Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (stating that “in the absence of a timely filed objection, a district court need not conduct a *de novo* review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’”) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

Here, because no party has filed objections to the Magistrate Judge’s Report, the Court has reviewed the record, the applicable law, and the findings and recommendations of the Magistrate Judge for clear error. After such review, the Court finds no clear error and agrees with the Magistrate Judge’s careful analysis. **Accordingly, the Court hereby adopts and specifically incorporates the Magistrate Judge’s Report (ECF No. 56); the Court denies Defendant’s motion for partial summary judgment (ECF No. 4) without prejudice and with leave to refile once discovery is complete; the Court denies Defendant’s motion for preliminary injunction (ECF No. 15); the Court denies Plaintiff’s motion for preliminary injunction (ECF No. 35); and the Court denies Plaintiff’s motion for temporary restraining order (ECF No. 51).**

IT IS SO ORDERED.

/s/Bruce H. Hendricks
United States District Judge

January 7, 2025
Charleston, South Carolina